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Date: May 28, 2021 at 2:23:41 PM CDT
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Subject: Community Message: Sheriff Takes Disciplinary Action Against Employees Involved in Jail Death
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Friday May 28, 2021, 2:23 PM

Harris County Sheriff's Office

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Community: Sheriff Takes Disciplinary Action Against Employees Involved in Jail Death

Dear Nixle User,

May 28, 2021 – Harris County Sheriff Ed Gonzalez today announced he has terminated 11 employees and suspended 6 others after finding they committed serious policy violations in connection with the Feb. 17, 2021, death of Jaquarea Simmons inside the Harris County Jail.

The disciplinary actions follow a 3-month inquiry conducted by a dozen Internal Affairs investigators and supervisors. The investigators conducted 73 interviews of 37 employees and 20 jail detainees. They also reviewed hours of phone records and security video footage, while also gathering and analyzing evidence such as round sheets and medical records.

The Harris County Institute of Forensic Sciences has ruled that Simmons, 23, died from blunt force trauma to the head with subdural hematoma – a homicide. The results of the Sheriff's Office Internal Affairs Investigation were presented to the Sheriff's Administrative Disciplinary Committee, which made disciplinary recommendations to the sheriff.

Simmons' death occurred during the winter freeze that struck Texas earlier this year.

"During a natural disaster, we expect to see the very best in our employees. These 11 people betrayed my trust and the trust of our community," Sheriff Gonzalez said. "They abused their authority. Their conduct toward Mr. Simmons was reprehensible. They showed complete disregard for the safety and well-being of a person they were directly responsible for protecting. They escalated, rather than de-escalated, the situation. Their conduct was unacceptable and inexcusable, and has discredited them, the Sheriff's Office, and their fellow employees. None of them deserve to wear the Harris County Sheriff's Office patch ever again."

Regarding the six employees who have been suspended without pay, Gonzalez said: "All six of them are on notice that unless they exhibit immediate and consistent compliance with – and adherence to – all Sheriff's Office policies, rules and regulations, they will be subjected to the imposition of further disciplinary action, up to and including termination."

The Houston Police Department is conducting a separate, independent criminal investigation into Simmons' death, as required by state law. The results of that ongoing investigation will be presented to the Harris County District Attorney's Office to determine whether criminal charges are appropriate.

The Sheriff's Office Internal Affairs investigation revealed the following:

- On Feb. 10, the Houston Police Department booked Simmons into the jail on a charge of being a felon in possession of a firearm. He was evaluated by medical staff, who reported no significant health issues.

He was assigned to a single cell on the seventh floor of the 701 San Jacinto jail facility, where he was to remain in standard COVID-19 quarantine for 10 days.

- On the morning of Feb. 16, Simmons used his clothing to clog his cell toilet, causing it to overflow. Detention officers responded to his cell to clean it. At this time, force was used against Simmons, however, no employees documented the use of force, a violation of Sheriff's Office policy. Once the cell was cleaned, detention officers returned Simmons to his cell with no clothing. This was also a violation of policy, which requires detention officers to notify a supervisor before removing a person's clothing and that the person be provided with a smock.
- On the evening of Feb. 16, detention officers arrived at Simmons' cell to deliver a meal. One of the detention officers filed a written report stating that Mr. Simmons threw his meal tray at him and charged toward the detention officer, who struck Simmons in the face with his fist and then closed the door leaving Simmons inside the cell.
- Detention officers then called for help removing Simmons from his cell so that he could be evaluated by medical personnel. Again, detention officers used force against Simmons as they handcuffed him and escorted him out of the cell block. At this time, Simmons suffered multiple blows to his head. None of the employees present for this second use of force documented it at the time, a violation of Sheriff's Office policy. Policies regarding appropriate use of force were also violated, along with a policy that requires staff to intervene when they see excessive force being used.
- Medical staff evaluated Simmons in the clinic that night. They reported he was conscious and that Simmons had a cut to his left eyebrow and upper lip. At the time, power was out inside the building because of the winter storm, so the medical staff ordered that an X-ray be taken as soon as possible. They also prescribed Simmons pain medication. He was then returned to his cell for the night.
- Staff never took Simmons back to the clinic for his prescribed X-rays, even after power was restored.
- According to Sheriff's Office policy and Texas Commission on Jail Standards requirements, detention officers must conduct visual checks on everyone in the jail every 60 minutes. During regular circumstances, this is documented electronically. However, the electronic rounds documentation system was not used during the power outage, which forced all staff to use hand-written round sheets. Investigators determined that this process was not followed in the cell pod where Simmons was housed. Instead, investigators found no documentation of rounds being completed in this area from the morning of Feb. 15

until noon of Feb. 17, just a few minutes before Simmons was found unresponsive in his cell at 12:10 p.m. when his lunch was delivered. The failure to conduct rounds was violation of policy.

- An ambulance was called, and a detention officer performed chest compressions on Simmons until they arrived. Simmons was taken to LBJ Hospital, where doctors pronounced him deceased at 1:27 p.m.
- The 17 people who were fired or suspended as a result of their involvement in Simmons' death committed various serious policy violations. While the specific policy violations varied from one employee to the next, they include use of excessive force, failure to document use of force, failure to intervene, and making false statements to investigators. Some also violated procedures related to proper monitoring of the physical welfare of people in the jail.

The following employees have been notified of their termination in connection with this investigation:

- Detention Officer Garland Barrett
- Detention Officer Patricia Brummett
- Detention Officer Joshua Dixon
- Detention Officer Alysheia Mallety
- Detention Officer Israel Martinez
- Detention Officer Eric Morales
- Detention Sgt. Jacob Ramirez
- Detention Officer Alfredo Rodriguez
- Detention Officer Daniel Rodriguez
- Deputy Dana Walker
- Detention Officer Chadwick Westmoreland

The following employees have been notified that they are subject to disciplinary action:

- Detention Officer Antonio Barrera has been notified that he is suspended 10 days and will serve 180 days probation.
- Sgt. Benny Galindez has been notified that he is suspended 3 days and will serve 90 days probation.
- Detention Officer Jeremy McFarland has been notified that he is suspended 5 days and will serve 180 days probation.
- Detention Officer Alexandra Saucier has been notified that she is suspended 3 days and will serve 90 days probation.
- Detention Officer Ralph Tamayo has been notified that he is suspended 5 days and will serve 180 days probation.

- Detention Sgt. Rene Villaloboz has been notified that he is being suspended for 3 days and is on probation for 90 days.

All of these employees have a right to appeal these disciplinary actions to the independent Civil Service Commission.

"I understand that these disciplinary actions in no way make up for what happened to Jaquarea Simmons inside our jail," Sheriff Gonzalez said. "But I owe it to him, to his mother, and to our community to do everything in my power to ensure those who had a hand in it are held accountable, and that this sort of thing never happens again."

The events preceding Simmons' death occurred out of view of the 1,490 security cameras currently operating inside the 1.4-million-square-foot jail complex. An ongoing camera installation project that began in 2017 will eventually bring the total number of cameras inside the jail to over 2,000.